

Corporation

Steven W. McCullough  
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Iowa Student Loan Liquidity

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Ms. Kelli Farmer  
Consumer & Government Affairs Bureau  
Policy Division  
445 12<sup>th</sup> Street, SW  
Room 5-A866  
Washington, DC 20554

RE: CG Docket No. 02-278

Delivery via [www.fcc.gov](http://www.fcc.gov)

Dear Ms. Farmer:

The Iowa Student Loan Liquidity Corporation is pleased to provide to the Federal Communications Commission the following comments relative to ACA International's Petition for a Declaratory Ruling on the Telephone Consumer Protection Act in response to the request issued April 26, 2006. Iowa Student Loan is a private, not-for-profit corporation, created as a state-based secondary market for education loans pursuant to the Higher Education Act of 1965, as amended. Its market is primarily the state of Iowa, and it purchases both private and government-insured education loans. Moreover, in its capacity as a licensed lender in the state of Iowa, Iowa Student Loan originates consumer credit education loans to students and parents who attend Iowa postsecondary institutions and/or are residents of the state of Iowa.

Iowa Student Loan is in agreement with the petition made by ACA International. Iowa Student Loan encourages the FCC to clarify by declaratory ruling that Federal law and corresponding FCC regulations concerning the prohibited use of autodialers by telemarketers to contact borrowers on cellular telephones were never intended to and should not apply to lenders, servicers, and collectors attempting to recover payments for goods and services already purchased. Failure by the FCC to clarify this position will be detrimental to Iowa Student Loan.

Autodialer technology provides an efficient and effective tool to facilitate contact with existing customers. Prohibiting the use of this technology would impair the ability of Iowa Student Loan to work with borrowers to help them meet their loan obligations. The result would be increased loan defaults. Borrowers who otherwise would bring their accounts current will suffer the negative ramifications of student loan default.

Iowa Student Loan respectfully requests that the Commission issue a declaratory ruling clarifying that 47 CFR § 64.1200(a)(1)(iii) does not apply to lenders, servicers and collectors when calling to recover payment and that the 2003 TCPA rulemaking did not alter the Commission's previous findings that calls to recover debts are not subject to the TCPA's autodialer restrictions.

Thank you for the opportunity to present these comments. If you have any questions regarding this matter, please call me at (515) 273-7407.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven W. McCullough". The signature is fluid and cursive, with the first name "Steven" and last name "McCullough" being clearly legible.

Steven W. McCullough